

MEMO ENDORSED

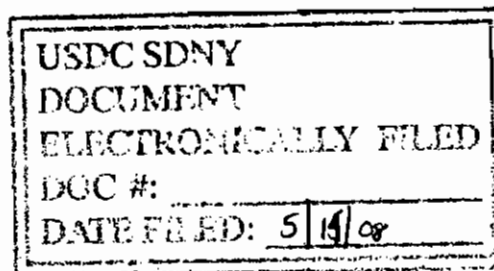
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May 13, 2008

(by facsimile 212/805-7906)
Honorable Denny Chin, U.S.D.C.J.
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES DISTRICT COURT
500 Pearl Street
New York, New York 10007-1312



Re: ORTIZ V. BARLOW ET AL
Our File Number: 1117405101
Date of Loss: 04/20/2007
Index Number: 07 CIV 10365

Dear Judge Chin:

I represent Defendant Carol Sherman in the above matter.

During the Scheduling Conference of April 11, 2008 the Court agreed to Plaintiff's filing of a pre-discovery Motion for Partial Summary Judgment by April 25, 2008; with any Cross-Motion by Defendant Sherman by May 9, 2008.

I am in receipt of Plaintiff's Motion and Opposition by Defendant Barlow.

I request an adjournment, till May 20, 2008, to file Defendant Sherman's Cross-Motion. My client has been traveling out of New York State on business and is not expected to return in the near future. However, my client is in the process of having an Affidavit in support of the Cross-Motion notarized and returned to my office. This client Affidavit is necessary to support Defendant's request for summary judgment.

I have spoken with the parties' counsels, Jay Hausman, Esq. and Loretta J. Hottinger, Esq. who do not oppose my request

for an adjournment and extension for filing a cross-motion.

Defendant has not previously requested an adjournment of the motions.


Should the Court grant permission, Defendant Sherman can file and serve her Cross-Motion by May 20th, 2008 with opposition and/or reply papers by May 30, 2008, or on a date selected by the Court.

Respectfully Submitted,



John R. Marquez (3623)

SO ORDERED:


Denny Chin, U.S.D.C.J.

5/14/08

By facsimile transmission

Jay S. Hausman, Esq. and Loretta J. Hottinger, Esq.